

### **REMARKS/ARGUMENTS**

This Amendment is being filed in response to the first Official Action of May 1, 2007. The first Official Action rejects all of the pending claims, namely Claims 1-34, under 35 U.S.C. § 112, second paragraph, for being indefinite; the Official Action objecting to the “capable of” or “adapted to” language of the claims. The first Official Action further rejects Claims 1-5, 8-12, 15-22 and 25-32 under 35 U.S.C. § 102(b) as being anticipated by PCT Patent Application Publication No. WO 01/33804 to Leppinen; and rejects the remaining claims, namely Claims 6, 7, 13, 14, 23, 24, 33 and 34 under 35 U.S.C. § 103(a) as being unpatentable over Leppinen, in view of U.S. Patent Application Publication No. 2003/0149720 to Goldstein. As explained below, Applicants respectfully submit that the claims are definite, and patentably distinct from Leppinen and Goldstein, taken individually or in any proper combination. Nonetheless, Applicants have amended various ones of the claims to further clarify the claimed invention, including amending independent Claims 1, 8, 15, 22, 25 and 32 to include subject matter similar to that of dependent Claims 6, 13, 20, 23, 30 and 33, and canceling dependent Claims 6, 13, 20, 23, 30 and 33. In addition, Applicants have added new Claims 35-38 to recite further patentable features of the present invention. In view of the amended claims and the remarks presented herein, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.

#### ***A. The Claims are Definite***

As indicated above, the first Official Action rejects all of the pending claims, namely Claims 1-34, for including recitations introduced by “capable of” or “adapted to,” alleging that the respective recitations render those claims indefinite under 35 U.S.C. § 112, second paragraph. Applicants respectfully disagree, and note that both “capable of” and “adapted to” are perfectly acceptable claim language, and that the Official Action does not cite any support for its conclusions. Nonetheless, Applicants have amended various ones of the claims to replace the “capable of” and “adapted to” language with “configured to” language, which Applicants also submit is perfectly acceptable claim language. *See, e.g.,* MPEP § 2173.05(g).

Further, and in response to the rejection of Claims 2 and 9 reciting first and second

networks comprising wireless and wireline networks, respectively, Applicants have amended those claims to more clearly refer back to their respective independent claims.

For at least the foregoing reasons, Applicants respectfully submit that the rejection of the claims under § 112, second paragraph, is overcome.

***B. Claims 1-5, 8-12, 15-19, 21, 22, 25-29, 31 and 32 are Patentable***

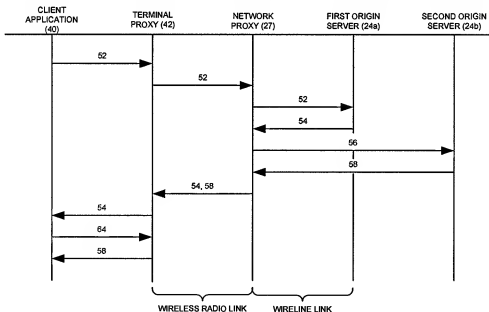
The Official Action rejects Claims 1-5, 8-12, 15-22 and 25-32 as being anticipated by Leppinen. Briefly, Leppinen discloses a system and method for effective use of air link between mobile stations and gateway servers. As disclosed, a mobile station transmits to a gateway server a request for a resource located on a web server using a first protocol. The gateway server then transmits the request to the web server using a second protocol compatible with the web server. The gateway server receives a redirection message from the web server indicating a new location of the resource, and in response to the redirection message, the gateway server creates and transmits another request for the resource at the new location. After receiving the requested resource from the web server, the gateway server transmits the requested resource to the mobile station using the first protocol.

According to one aspect of the present invention, as recited by amended independent Claim 8 for example, a method is provided for requesting a resource over one or more networks. As recited, a first request for the resource is sent from a terminal (including a client application) to a host over a first (e.g., wireless) network and a second (e.g., wireline) network, the first request identifying the resource at a first location on the host. The host receives the first request and replies with a first response. A network proxy receives the first response from the host over the second (e.g., wireline) network independent of the first (e.g., wireless) network. The network proxy then reformulates the first request into a second request that identifies the resource at a second location, and thereafter sends the second request to a host of the resource at the second location for that host to respond with a second response.

As further recited, the method also includes sending the first response and the second response to a terminal proxy, and sending the first response to the client application such that, in response to the first response, the client application reformulates the first request into a third

request that identifies the resource at a second location. The third request is sent from the client application to the terminal proxy, and thereafter the second response is sent to the client application. In this regard, the first response is sent to the client application, the third request is sent to the terminal proxy, and the second response is sent to the client application, independent of the first network.

In one exemplary scenario, shown and described with reference to FIG. 3 (reproduced below), a method according to amended independent Claim 8 includes sending a first request 52 for a resource from a terminal (including a client application 40) to a host 24a over a wireless radio link (first network) and a wireline link (second network). The host 24a receives the first request 52 and replies with a first response 54. A network proxy 27 receives the first response 54 from the host over the wireline link (second network) independent of the wireless radio link (first network). The network proxy 27 then reformulates the first request 52 into a second request 56, and thereafter sends the second request 56 to a host 24b for that host to respond with a second response 58. The first and second responses 54, 58 are sent to a terminal proxy 42. The first response 54 is then sent to the client application 40 such that, in response to the first



Present Application, FIG. 3

response 54, the client application reformulates the first request 52 into a third request 64. The third request 64 is sent from the client application 40 to the terminal proxy 42, and thereafter the second response 58 is sent to the client application 40. As shown, the first response 54 is sent to the client application 40, the third request 64 is sent to the terminal proxy 42, and the second response 58 is sent to the client application 40, independent of the wireless radio link (first network). By including the terminal proxy, redirection of the resource request may be made transparent to the terminal, or rather the client application of the terminal.

In contrast to amended independent Claim 8, Leppinen (or Goldstein) does not teach or suggest including a terminal proxy for performing functions of the invention transparent to the mobile terminal. More particularly, Leppinen (or Goldstein) does not teach or suggest the recited method including a terminal proxy receiving both first and second responses and providing the first response to the terminal client; the terminal client then formulating a third request (e.g., new, redirected request) that the terminal proxy receives and responds to with the second response, the communication between the terminal client and terminal proxy occurring independent of the first network.

With respect to the features of former dependent Claim 13, and now amended independent Claim 8, the Official Action alleges that Leppinen discloses sending the first and second responses to a terminal proxy, and sending the first response to the terminal. The Official Action concedes that Leppinen does not teach or suggest the terminal formulating a third request that the terminal proxy receives and responds to with the second response independent of a first network. Nonetheless, the Official Action alleges that Goldstein discloses these features, and that it would have been obvious to one skilled in the art to modify Leppinen to include the features to thereby decrease the computational burden on Leppinen's gateway server. Applicants respectfully disagree, and note that even if one could argue (albeit incorrectly) that Leppinen did disclose the claimed features attributed to it, Goldstein does not cure the deficiencies of Leppinen.

Goldstein discloses a system including a client, first proxy, second proxy and one or more server computers interconnected by a wide area network (WAN) such as the Internet. As disclosed, the first proxy is enabled for communication with the server computer. The second

proxy, located local to the client computer, is enabled by a special optimizing protocol for communication with the first proxy. Nowhere, however, does Goldstein teach or suggest either of the first or second proxies fulfilling a request for the resource of a host independent of a first network, as recited by dependent Claim 13. As disclosed by Goldstein, a first proxy may be local to the client (see FIG. 2), or remote from the client (see FIGS. 1, 3 and 4); but in any event, the first proxy communicates with a server across the WAN to fulfill resource requests of the client. As also disclosed, the second proxy is local to the client (see FIGS. 3 and 4); but again, the second proxy communicates with a server (via the first proxy) across the WAN to fulfill resource requests. In fact, one of the passages of Goldstein cited for supporting the terminal proxy of the claimed invention, namely paragraph 0024 of Goldstein, discloses that, "[t]he second proxy computer further is enabled for selecting between the server computer and the first proxy computer [located in respective FIG. 3 as across the WAN from the client], for directing a request from the client computer."

Further, even if one could argue (albeit incorrectly) that Leppinen and Goldstein disclose respective features of amended independent Claim 8, neither Leppinen nor Goldstein, taken individually or in any proper combination, teach or suggest that the first response is sent to the client such that, in response thereto, the client reformulates the first request into a third request. The Official Action cites Leppinen for disclosing a proxy including the URL for the host supplying the resource in the response including the respective resource. Nowhere, however, does Leppinen teach or suggest the mobile station reformulating a request for the resource into another request in response to receiving the URL. Instead, Leppinen only discloses the mobile station updating its history file with the respective URL.

Moreover, and with respect to the alleged modification of Leppinen and motivation for that modification, Applicants question the extent to which separately sending the requested resource and new URL actually decreases the computational burden on the gateway server of Leppinen. It seems logical that the computational burden on the gateway server of Leppinen would differ between sending the URL in a header of the resource, and sending the URL in a separate message as the resource. It is not apparent, and the Official Action has not provided any basis to conclude, however, that the computational burden on the gateway server would decrease

between sending the URL in a header, and formulating and sending a separate message including the URL.

Applicants therefore respectfully submit that amended independent Claim 8, and by dependency Claims 9-12, 14 and 36, is patentably distinct from Leppinen and Goldstein, taken individually or in any proper combination. Applicants also respectfully submit that amended independent Claims 1, 15, 22, 25 and 32 recite subject matter similar to that of amended independent Claim 8, including at least the feature of sending first and second responses to a terminal proxy. Thus, Applicants also respectfully submit that amended independent Claims 1, 15, 22, 25 and 32, and by dependency Claims 2-5, 7, 16-19, 21, 24, 26-29, 31, 34, 35, 37 and 38, are patentably distinct from Leppinen and Goldstein, taken individually or in any proper combination, for reasons similar to those provided above with respect to amended independent Claim 8.

For at least the foregoing reasons, Applicants respectfully submit that the rejection of Claims 1-5, 8-12, 15-22 and 25-32 as being anticipated by Leppinen is overcome (or rendered moot by virtue of the cancellation of Claims 20 and 30).

***C. Claims 7, 14, 24 and 34 are Patentable***

The Official Action rejects Claims 6, 7, 13, 14, 23, 24, 33 and 34 as being unpatentable over Leppinen, in view of Goldstein. As explained above, however, Applicants again respectfully submit that Goldstein does not cure the defects of Leppinen, and accordingly, respectfully submit that the claimed invention is patentably distinct from Leppinen, in view of Goldstein, in view of Goldstein, taken individually or in any combination. And for at least the foregoing reasons, Applicants respectfully submit that the rejection of Claims 6, 7, 13, 14, 23, 24, 33 and 34 as being unpatentable over Leppinen, in view of Goldstein, is overcome (or rendered moot by virtue of the cancellation of Claims 6, 13, 23 and 33).

Appl. No.: 10/659,934  
Amdt. dated August 1, 2007  
Reply to Official Action of May 1, 2007

**CONCLUSION**

In view of the amendments to the claims, the newly-added claims and the remarks presented above, Applicants respectfully submit that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicants' undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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